

SCAAC Meeting Minutes

(School Curriculum, Assessment, and Accountability Council)

January 6, 1999
State Board Room

SCAAC Agenda

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2.	Communication Plan	Robyn Oatley
3.	Assessment & Accountability Models	Nancy LaCount
4.	Code of Ethics	Judy Phillips/ Debbie Hendricks
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Adjournment		

SCAAC Meeting Minutes
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Copies of audiotapes of the meeting are available upon request.
Chairman Anne Keene called the meeting to order. The roll was called.

Members Present:

Suzanne Guyer	Benny Lile	Linda Sheffield
Maxie Johnson	Gary Mielcarek	John Stephens
Anne Keene	Roger Pankratz	Maynard Thomas

1. Meeting Minutes

Anne Keene

A quorum was present. Chairperson Anne Keene reported on her appearance before the Education Assessment and Accountability Review Subcommittee (EAARS) which met since the last Council meeting. Anne also noted that since the last Council meeting, the Kentucky Board of Education had met and conducted a working session on accountability models; Suzanne Guyer, Anne Keene, Linda Sheffield, and Benny Lile were present as representatives of the Council at the working session.

SCAAC Motion:

Anne Keene asked the Council to review the draft minutes from November 10, 1998. After discussion and corrections were noted, Roger Pankratz moved the minutes be approved as corrected; Maynard Thomas seconded the motion. The motion carried without opposition; corrections were made.

Meeting time: 11 hours

2. Communication Plan

Anne Keene

Chairperson Anne Keene recognized Robyn Oatley who reported on the communication plan; she noted that input was being encouraged and Board Chair Helen Mountjoy has stated Kentucky Board of Education's desire to have this input. Robyn also noted a report written by Andy Platner in *Education Week*; Council members received copies of the article.

3. Assessment & Accountability Models

Anne Keene

The major topic for today's session—inclusion of special populations in state assessment and accountability models. Nancy LaCount discussed issues on inclusion. Nancy asked the Council for feedback on the document under review; the purpose of the document is to give direction and guidance to schools on the inclusion of special

populations in statewide assessment and accountability. The intent is to present the plan to Kentucky Board of Education for approval. The issues include participation in assessment; assessment accommodations; equity, access and fairness; reporting results; allocation of resources; and psychometric issues. Nancy noted that the key point is to insure that all students have educational opportunities that are rich in content and processes. Multiple stakeholders have been involved in developing the ideas presented. Nancy used a series of overheads and a packet of handouts to illustrate and clarify the points in the discussion. Council members were given the handouts to follow the discussion.

Three options for inclusion were presented: participation without any accommodations; full participation with accommodations; and inclusion of students using the alternate portfolio program. Scott Trimble noted that accommodations used during any assessment must be consistent with accommodations used in the regular instructional program for those students.

Nancy LaCount used Individuals with Disabilities Education Act (IDEA) charts which discussed the ABC's of IDEA and how the law strengthens identification of special populations and how those students are accommodated. She pointed out the difference between Individual Education Plans and 504s. The 504 goes beyond school age; it is a discrimination law. Individual Education Plans are highly specific and spell out specific programs with accommodations for students who meet certain criteria. Under 504 the disabilities might be less intensive than those found in Individual Education Plan situations. The 504 disabilities may be temporary or longer in duration requiring special accommodations for short or longer periods of time. The purpose is to reduce barriers to learning but not to give any unfair advantages to those students.

Roger Pankratz asked Nancy who would make up an Admissions and Release Committee to work with Individual Education Plans. The Admissions and Release Committee would be made up of a minimum of 4 persons. Anne Keene asked what kinds of quality control existed in screening student eligibility, and she asked for a description of the kinds of disabilities that are prevalent in those individuals who would need an Individual Education Plan or 504. In answer to the quality control questions, Nancy noted that on a cycling basis district plans were reviewed for compliance with the law.

Roger Pankratz expressed concern that children might be included in special programs based on the parents' desire to have students classified as having special education needs in order to be eligible for more welfare or other funding as a motive. It was noted by the state that the selection process is not a subjective process—not one that parents can manipulate.

Anne Keene asked if there were any tendency toward higher numbers of children with disabilities at accountability grade levels? It was noted that the state has not seen any noticeable bubble effect or inflated numbers at the accountability grade levels.

The Chair called a ten minute morning break. The record will note that Council member Sharon Whitworth present. Chairperson Anne Keene reconvened the Council.

Nancy LaCount provided data sheets as background information for the Council. The data supports the conclusion that schools are not and have not used the alternate portfolio as a way to circumvent accountability issues.

Mike Burdge, the new program consultant for alternate portfolio, was introduced. He explained that the alternate portfolio is based on cognitive disability. When Kentucky designed the alternate portfolio program, there were no other programs in the United States that could serve as a model for the Kentucky design. The Council was provided with six years of scoring reliability data on the alternate portfolio and scoring trend data. Council members were given a copy of the scoring guide used for alternate portfolios and the dimensions of the scoring guide were discussed with the Council. Mike Burdge talked about the alternate portfolio from the instructional standpoint, using examples from his own classroom experiences.

Maxie Johnson asked Mike how it could be determined what the students with alternate portfolio programs are achieving in the classroom and what kind of expectations would be realistic. Mike answered that it is not always possible to make those determinations; furthermore, he noted that the answer would vary from situation to situation and that the Individual Education Plan is critical in determining the best program or programs for the children.

Sue Rigney asked what the contents in the portfolio would look like—narratives, photographs, student work? The entries are actual student work which take on different formats such as photographs, video tape, or other artifacts.

Suzanne Guyer asked who scored the alternate portfolios. Teachers score alternate portfolios, but they do not score those they submit for their own students.

Discussion on the necessity to make these inclusions regulations rather than just program advisories from the Kentucky Department of Education followed. In general, the importance of the inclusion calls for the weight of law which would be provided by regulation; advisories do not carry such weight. Nancy LaCount continued her presentation using data sheets showing data collected over time; Council members were given copies of the sheets.

Chairperson Anne Keene adjourned the Council for lunch. Following the lunch break, Chairperson Anne Keene reconvened the Council. Jon Frederick called the roll; a quorum was present.

Nancy LaCount continued her presentation on inclusion of special populations in statewide assessment and accountability. Chairperson Anne Keene asked that the Council consider what type of action it would need to take in regard to these issues. The following represent recommendations on issues discussed during the day's presentations on the inclusion document:

Students with disabilities:

- These students should be counted in the accountability model.

Maynard Thomas asked "If a school is not handicapped accessible and the child is sent to another school, which school is accountable?" Nancy replied the school which would have been originally responsible is accountable. There would be a decision made by all the parties involved—there are options.

SCAAC Motion:

Suzanne Guyer moved that the Council support the principle that students with disabilities be included in assessment and accountability. The motion was seconded by Linda Sheffield. The motion passed without opposition. The rationale for this motion includes: (1.) the Council believes all students can learn at high levels; (2.) assessment drives instruction, inclusion in assessment assures educational opportunity; (3.) the program of studies requires all students be given the same opportunities to progress and thus also be included in the accountability model.

4. Code of Ethics

**Judy Phillips/
Debbie Hendricks**

The Chair recognized Judy Phillips and Debbie Hendricks from the Office of Management Support Services, Kentucky Department of Education. They discussed some of the various concerns with allegations regarding assessment administration; they noted that the Code of Ethics document is the instrument used in investigating any allegations. Judy advised that the Code of Ethics should be part of the inclusions document the Council is considering. Cindy Owens from the Office of Assessment Implementation supported Judy's request; it was agreed that making the Code of Ethics part of a regulation would give more substance and weight to the Code. On the other hand, John Stephens asked if passing the regulation would create any other unforeseen problems. In answer, Cindy Owen said that much consideration has been given the document and the feeling is that what is in the document should solve more problems than it might create. Gary Mielcarek asked about the nature of the language in the document and whether putting that language in regulation would be wise. It was noted

that care would need to be taken in the use of language. Cindy Owen emphasized that the effort here is to make the language less open to varying interpretations; the language should clearly state what everyone would have to follow.

Following Judy Phillips' remarks, Anne Keene thanked Judy and Debbie for their presentation.

5. Student Expulsion

Scott Trimble

Scott Trimble presented how student expulsion affects accountability. Kyna Koch clarified this policy as it presently stands. She noted that students can now legally be expelled and be provided services in some alternative setting. Scott defined an A1 school as the kind of school most students attend; A2-A6 schools are those which have special populations or serve special purposes. Anne Keene noted the section in the document where these definitions could be found so that Council members could follow Scott's comments. Anne Keene noted the concern that District Assessment Coordinators had with being sure that the rosters of students in the districts be as correct as possible when they are submitted for assessment and accountability purposes. After some discussion on the subject, Scott noted that foster children are considered as state agency children. Discussion included the various problems inherent in the system as to where students are counted for assessment and accountability purposes and how those designations are determined.

Suzanne Guyer commented on her difficulty with seeing how schools can be held accountable for some students which they may not have actually served or those who have circumstances beyond the control of the schools. She sees a problem with schools being responsible for those students. The problem is one of where accountability lies.

Maynard Thomas asked how long the referral process would take to move a student from an A1 school to some other designation. Nancy LaCount noted that schools had 60 days for this process. She noted that schools which do not meet that time line are considered out of compliance with the special education requirements.

Discussion followed on the question of expulsions and how expelled students should be counted in the assessment and accountability system.

Maynard Thomas asked if students who were in an A5 school would ever have the opportunity to return to another type school such as an A1 school. Scott Trimble answered that typically students could return to those A1 schools.

Linda Sheffield asked how magnet school students were treated. It was noted that presently magnet schools were treated as A1 schools.

SCAAC Motion:

A1-A6 Accountability

- Expulsion Issues: The Council advises Kentucky Department of Education to revise this section of the regulation in view of federal law and the concern expressed by the Council; if a school district cannot provide services because of safety reasons then the district is exempt of responsibility for that student it cannot provide services for; if the school can provide services for such students then the school will be responsible for those students.
- Foster Care: Roger Pankratz moved that foster children be counted in accordance with the same rule for any move; for discussion purposes a second was made by Benny Lile. Sharon Whitworth asked if it would be acceptable to count students who move from an A1 to an A1 school the same as any move but to track students who move from A1 to an A2-A6 school back to their A1 school. Maynard ask how students sent by a court order to a specific high school would be tracked in a district with two schools one of which is a school in which all the students are placed in the school because the court has intervened in their lives and sent them there.

The question was called. Roll call vote was taken and the motion carried by seven votes to three.

SCAAC Discussion:

Discussion resumed on inclusion of students with disabilities in assessment and accountability. Anne asked if the Council would like to advise Kentucky Department of Education to make clearer the part of the regulation which says that students must be enrolled in the school on the first day of assessment to be included on the District Assessment Coordinators' rosters of students who are to be included in the school's accountability. Scott Trimble discussed the accountability date as the date the assessment is given. He noted that a school is accountable for all students who are enrolled on the morning the assessment begins. For writing portfolios, a school is responsible for the writing portfolio for students who have been enrolled in a school for at least 100 days.

The Chair called a recess.
Chairperson Anne Keene reconvened the Council.

6. School Accountability Index

Scott Trimble

Benny Lile noted that he felt that it did not seem fair to hold schools on the one hand responsible for a transfer from another state on the accountability date while not being responsible for foster children who may have been in a school for years or for some longer time than an out of state transfer. Scott Trimble said that he felt the department would be open to any suggestions on how to better deal with these problems. Scott

further stated that every effort has been made to write a regulation which would deal with every situation but that such a regulation just didn't seem to be possible.

Roger Pankratz asked what the rationale was for counting foster children back at their original home district rather than in the school where they might actually end up in attendance. Scott Trimble noted that there had not been any intent to put schools at any kind of disadvantage because of foster children.

Anne Keene noted that there were as many scenarios as one could imagine which could be possible considerations. Anne noted that the Council needed to make some recommendations with rationale during this afternoon session. She noted the need for a regulation not just a policy statement.

Benny Lile expressed his opinion that a Kentucky school should not be held accountable for a student from out of state who arrives in a school on the first day of testing.

Suzanne Guyer suggested that the Council look at the out of state deadline for inclusion of those students in a school's accountability index. John Stephens suggested that since the purpose of the CATS assessment is to determine a school's effectiveness then it would seem counterproductive to include students who haven't actually been in a school for a significant time prior to the assessment date.

Anne Keene asked what problems would having a hundred day cut off for the on-demand part of the assessment present? This rule would be for out of school mobility not in state mobility. Scott Trimble said that he would not have a problem testing out of state transfers and not counting them in the school's accountability if that would solve the problem; there would need to be some way for District Assessment Coordinators to bubble in the test booklet to note those students who would not be included the accountability index.

At this point, Anne Keene noted that she felt the Council would need more information on the issue of out of state mobility. She noted in particular the differences in border counties and districts and those districts within the state in which out of state mobility would not be a significant factor. Anne suggested that some data on mobility would be helpful to the Council. Kyna Koch responded that there is no mobility data collected at this point by the state. Other sources of possible data collection were discussed.

Anne Keene focused the Council's attention on whether or not there should be something added in the regulation on the appeals process. Scott Trimble noted that if this process is already in another regulation than if something on that were added to this regulation it would need to be stated in a different way to avoid having the same thing in two regulations.

Anne Keene proposed that the mobility issue be put on the March agenda with data as background for consideration. The Council agreed to this suggestion.

Anne Keene asked if the Council wanted to add the reference to the appeals process in the regulation or whether that is necessary or not. Linda Sheffield agreed that a reference to the appeals process might be helpful.

SCAAC Motion:

Maynard Thomas moved that the appeals process be attached to the document; Linda Sheffield seconded the motion. Sharon Whitworth amended the motion by moving that the Council recommend this be a regulation; the amendment passed and the motion passed without opposition. Rationale for motion: add weight of law, reduce the number of allegations, add emphasis to the document that has not been there before.

7. Long Term Accountability Model

Scott Trimble

Anne Keene noted that since the Council's last meeting Kentucky Board of Education has promulgated a regulation with the accountability model in it. Bob Sexton asked for clarification as to what role the Council has now concerning the accountability model. Sue Rigney answered that the Council will need to look at the changes in the model since they last saw the model.

Scott Trimble expressed his concern that the documents they were viewing were documents produced for public relations purposes. Scott noted that he had copies of the regulation which might provide more information than the public relation documents.

Scott Trimble used a copy of the regulation to lead the Council through the Kentucky Board of Education Long Term Accountability Model which is a blending of the Council model and the National Technical Advisory Panel of Assessment and Accountability Model. During the discussion of the regulation Scott Trimble answered questions from Council members.

Chairperson Anne Keene recessed for dinner.

The Council reconvened after dinner.

The floor was opened for questions. Roger Pankratz asked Scott why it wouldn't be the smart thing for districts to go soft on the assessment over the next two years while baselines are being set for the future. Scott answered that it is not the thing that professionals want to do.

John Stephens asked Scott if there were time lines in place for schools to reconfigure by grades. Scott answered that there were constraints and he felt that reconfigurations needed to be done by September of the next year.

Chairperson Anne Keene noted that at tomorrow's meeting the Council would react to the accountability model and give the participants representing the Council at the next Kentucky Board of Education work session some guidance on the Council's stance on the regulation. She also announced that the Council would also need to work on district accountability issues.

Adjournment

SCAAC Motion:

Benny Lile moved the Council adjourn, motion seconded by Suzanne Guyer. Motion carried.